

EXHIBIT 6

From: Boardman, Michael
Sent: Sunday, April 7, 2024 11:50 PM
To: Kelly, Laura; Bill Cash; Sims, Nancy; Jason Ibey
Subject: RE: Gromov - roundup

Bill:

We have additional answers for you below in red. Please let us know when you have further information about the OS, any background apps, software settings and updates about which you are concerned and the state of Mr. Gromov's device in 2021. We are available on Tuesday morning for a further discussion.

- Number of times that our expert will fully discharge the battery
Less than 10.
- Model of data logger
Hioki MR6000-01
- Ways to ensure that the cable used will not transmit private data to any other device
We cannot use a cable that does not have data pins because they are necessary to read current and voltage information, but can represent that no private data will be accessed or logged.
- Whether a Faraday cage will be necessary to ensure that wifi and cellular service signals are terminated
We do not believe that this is necessary. The device can be provided in airplane mode or with wi-fi and cell service disabled, however we need to be assured that the battery percentage indicator on the device will be visible. Please confirm as soon as possible.
- What steps plaintiff would need to take in order to certify that all applications are disabled after the cellphone is powered off and turned back on without the need to unlock the phone again.
We can discuss this further when you have more information about security updates and the apps that you believe cannot be disabled. Generally, we expect that the process we discussed previously will work: Plaintiff would make a video of the process undertaken to disable all apps running on the phone so that it is clear what was done and what was turned off, place the device into airplane mode, power it down and send it to us in a sealed container that is marked such that you can tell whether it has been opened (e.g., by signing across the top of the opening).

Thank you,
Michael

From: Kelly, Laura <Laura.Kelly@bakermckenzie.com>
Sent: Friday, April 5, 2024 10:59 AM
To: Bill Cash <bcash@levinlaw.com>; Sims, Nancy <Nancy.Sims@bakermckenzie.com>; Boardman, Michael <Michael.Boardman@bakermckenzie.com>; Jason Ibey <jason@kazlg.com>
Subject: RE: Gromov - roundup

Bill,

Thank you for this. We confirm that we are looking into the following points based on our call:

- Number of times that our expert will fully discharge the battery
- Model of data logger
- Ways to ensure that the cable used will not transmit private data to any other device
- Whether a Faraday cage will be necessary to ensure that wifi and cellular service signals are terminated
- What steps plaintiff would need to take in order to certify that all applications are disabled after the cellphone is powered off and turned back on without the need to unlock the phone again.

We have agreed to certify that our expert will not hack or otherwise attempt to unlock or recover private data from your client's phone. Additionally, we have agreed to certify that the expert working with your client's phone holds appropriate credentials to ensure that the phone will not be intentionally or unintentionally damaged.

To the extent that the below summary deviates from any of the foregoing points, we have not agreed on that issue. In particular, we do not agree with the premise that “discharging a battery (even once) does permanently degrade it to some extent.” Likewise, consistent with the protocol we sent to you on March 21, which states the various metrics that will be measured, we have not agreed that our expert “will only measure current flowing through the cable.”

In order to facilitate the foregoing and in order to address some of the concerns discussed on our call, we would ask that you please identify the OS and various application versions in use on your client’s phone in 2021 when the complaint was filed as well as the OS and various application versions currently on the phone. Likewise, you mentioned on our call “background applications” that may still be running after being disabled and that would impact any test results. Given that this concern was raised by you, we would ask that you please identify any background applications that you believe cannot be disabled and that will impact the test results.

The foregoing is not an exhaustive list of issues related to the protocol but reflects what we understand the core next steps to be in order to facilitate a meaningful next meet-and-confer call.

All the best,
Laura

Laura Kelly

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From: Bill Cash <bcash@levinlaw.com>

Sent: Wednesday, April 3, 2024 2:17 PM

To: Sims, Nancy <Nancy.Sims@bakermckenzie.com>; Boardman, Michael <Michael.Boardman@bakermckenzie.com>; Kelly, Laura <Laura.Kelly@bakermckenzie.com>; Jason Ibey <jason@kazlg.com>

Subject: [EXTERNAL] Gromov - roundup

Let’s round up what we agreed to go do on this call.

From Belkin:

- We’re still seeking a more detailed protocol. For example, on the call, you did not have clarity on the number of discharges you would do—and I think we agree that discharging a battery (even once) does permanently degrade it to some extent.
- We want more information about the data logger—what model is it, specifically.
- We want you to consider a cable that doesn’t contain data conductors.
- The Faraday cage question.
- You offered to tender a declaration pledging the expert will not “hack” the phone (to be colloquial), or, to be more precise, will only measure current flowing through the cable by using the data logger and won’t attempt to access any data or information *on* the phone.
- We asked you to better identify what “background apps” you’re worried about. And/or, both sides agreed to think through whether simply a cold boot of the device, without launching any apps, will suffice for your purposes.
- And, I think we might be heading toward the idea that we would both want an “apples to apples” test, if you test it and we then test it—so, if you accept a cold boot

without us changing or disabling anything, maybe that is similar enough for our purposes if we have a rebuttal test.

From Gromov:

- You asked for info about the OS or updates installed. I would throw it back to you: let us know if there is an utility that would provide more detail.
- You asked if we would certify in some way our attempts to disable whatever “background apps” if that’s ultimately something we decide to do.

I am sure Jason can correct me if I left anything out, and I welcome Belkin to do the same.

I also would say that, just because I didn’t include something on the list doesn’t mean it isn’t still a dispute between us. For example, we still think we’re entitled to the identity and credentials of your expert, but we agreed to disagree on that for now. I just listed above the items I think are each side’s homework.

Bill Cash III

Of Counsel

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